



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gantier et al..  
Serial No. : 10/658,834  
Filed : September 8, 2003  
Cust. No. : 77202  
Title : RATIONAL EVOLUTION OF CYTOKINES FOR HIGHER STABILITY, THE  
CYTOKINES AND ENCODING NUCLEIC ACID MOLECULES

Art Unit : 1647  
Examiner : Stoica, Elly Gerald  
Conf. No. : 7681

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN**  
**ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

Because this Supplemental Information Disclosure Statement is after receipt of a first Office Action on the Merits of the above-captioned application, the filing fee of \$180 is enclosed. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 02-1818.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited non U.S. patent documents are provided herewith in connection with the above-captioned application.

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

06/30/2008 HLE333 00000037 021010 10658834  
01 FC:1005 180.00 DA

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label Number EM 247735504 US  
Date of Deposit June 26, 2008.  
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

  
Steven Dennis

A Copy of a U.S. Office Actions (Document I), issued December 28, 2007, in connection with corresponding U.S. Application Ser. No. 11/176,830 is provided. A copy of a European Search Report (Document II), issued January 31, 2008, in connection with corresponding European Patent Application No. 03794017.8 is provided. The table below lists Documents I and II and includes a column that provides a space next to the documents to be considered, for the Examiner's initials.

Examiner Initial	Document No.	Document
EGS 07/15/2009	I	Copy of U.S. Office Action, issued December 28, 2007, in connection with U.S. Application Ser. No. 11/176,830
EGS 07/15/2009	II	Copy of European Search Report, issued January 31, 2008, in connection with European Patent Application No. 03794017.8

In the U.S. Office Action, issued December 28, 2007 (Document I), the following documents are cited: 1) US 5,871,723, 2) US 2001/0043915, 3) WO 1991/02000, and 4) Klaus et al., The Three-dimensional High Resolution Structure of Human Interferon  $\alpha$ -2a Determined by Heteronuclear NMR Spectroscopy in Solution. *J. Mol. Biol.*, 274, 661-675, 1997. Documents 1-4 are made of record in the instant application in this Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents.

In the European Search Report, issued January 31, 2008 (Document II), the following documents are cited: 1) WO 1999/16889, 2) Ohta et al., "Selective glycopeptide mapping of erythropoietin by on-line high-performance liquid chromatography-electrospray ionization mass spectrometry" *Journal of Chromatography* 910:1-11 (2001), 3) EP 0240224, 4) WO 2001/25438, 5) WO 2001/61344, 6) Gibrat *et al* "Surprising similarities in structure comparison" *Curr. Opinon in Structural Biology* 6(3) pp 377-385 (1996), 7) Holm *et al* "Mapping the protein Universe" *Science* 273(2):595-603 (1996), 8) Piehler *et al* "New Structural and functional aspects of the type I interferon-receptor interaction revealed by comprehensive mutational analysis of the binding interface" *J. Biol Chem.* 275(51) pp. 40425-40433 (2000), and 9) Piehler et al., "Mutational and structural analysis of the binding interface between type I interferons and their receptor ifnar 2" *Journal of Molecular Biology* 294:223-237 (1999). Documents 1-2 are made of record in the instant application in this Information Disclosure

Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents. Documents 3-5 are made of record in the instant application in an Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents, filed November 9, 2004. Documents 6-8 are made of record in the instant application in an Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents, filed January 9, 2004. Document 9 is made of record in the instant application in an Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents, filed October 20, 2006.

Further to the list provided in the communication filed on October 4, 2007, applicant also makes known to the examiner the following pending U.S. and International Applications that have one or more common inventors and/ or common ownership:

EGS  
07/15/2009

U.S.S.N.	Filing Date	Publ. No.	Publ. Date	Docket No.
11/656,921	01/22/07	2007-0254838	11/01/07	922E
11/703,610	02/06/07	2008-0075672	03/27/08	922C
11/704,141	02/07/07	n/a	n/a	922D
11/707,014	02/14/07	2007-0224665	09/27/07	922G
11/729,267	03/27/07	2008-0038224	02/14/08	924
11/729,266	03/27/07	2008-0063202	01/03/08	924B
11/788,836	04/19/07	n/a	n/a	932
11/818,985	06/15/07	2008-0102115	05/01/08	930
11/825,604	07/05/07	n/a	n/a	922H
11/998,387	11/28/07	n/a	n/a	931
12/082,365	04/09/08	n/a	n/a	922I
12/082,389	04/09/08	n/a	n/a	922J
12/157,150	06/06/08			922K
Int'l App. No.	Filing Date	Publ No.	Publ. Date	Docket No.
PCT/EP07/002700	03/27/07	WO 07/110231	10/04/07	924PC
PCT/US07/14219	06/15/07	WO 07/149406	12/27/07	930PC
PCT/GB07/004520	11/27/2007	WO 08/065372	06/05/08	931PC

Although these documents and applications are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the information, singly or in any combination thereof, is effective as prior art against the subject application. In accordance

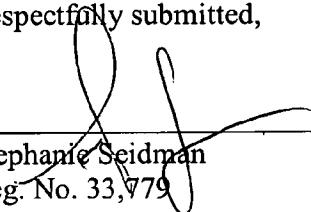
Applicant : Gantier et al.  
Serial No. : 10/658,834  
Filed : September 8, 2003

Attorney's Docket No.: 119365-00005/ 922  
Supplemental Information Disclosure Statement

with 37 C.F.R. §1.97 (g and h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56 (b) exists.

Applicant respectfully requests that the Examiner review the foregoing documents and make them of record in the file history of the above-captioned application.

Respectfully submitted,



---

Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 119365-00005 / 922

**Address all correspondence to:**

Stephanie Seidman  
Bell, Boyd & Lloyd  
3580 Carmel Mountain Road, Suite 200  
San Diego, CA 92130-6766  
Telephone: (858) 509-7400  
Facsimile: (858) 509-7466  
email: sseidman@bellboyd.com